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PTO/SB/01 (12-97)

Approved for use through 9/30/00. OMB 0651-0032

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DECLARATION FOR UTILITY OR DESIGN PATENT APPLICATION (37 CFR 1.63)

Declaration Submitted with Initial Filing Declaration Submitted after Initial Filing (surcharge (37 CFR 1.16 (e)) required)

Attorney Docket Number	1/1374
First Named Inventor	Gerald J. ROTH
COMPLETE IF KNOWN	
Application Number	10 / 623,971
Filing Date	07/21/2003
Group Art Unit	
Examiner Name	

As below named Inventor, I hereby declare that:

My residence, post office address, and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

3-Z-[1-(4-(N-((4-Methyl-piperazin-1-yl)-methylcarbonyl)-N-methyl-amino)-anilino)-1-phenyl-methylen]-6-methoxycarbonyl-2-indolnone-monoethanesulphonate and the use thereof as a pharmaceutical composition

the specification of which

(Title of the Invention)

is attached hereto

OR

was filed on (MM/DD/YYYY) **07/21/2003**

as United States Application Number or PCT International

Application Number **10/623,971** and was amended on (MM/DD/YYYY) (If applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 385(a) of any PCT International application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or of any PCT International application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Certified Copy Attached? YES	Certified Copy Attached? NO
DE 102 33 500.1	DE	07/24/2002	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>

Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto.

I hereby claim the benefit under 35 U.S.C. 118(e) of any United States provisional application(s) listed below.

Application Number(s)	Filing Date (MM/DD/YYYY)	Additional provisional application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto.
60/404,460	08/19/2002	<input type="checkbox"/>

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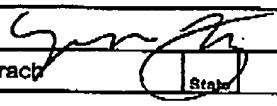
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DECLARATION — Utility or Design Patent Application

I hereby claim the benefit under 35 U.S.C. 120 of any United States application(s), or 365(c) of any PCT International application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. 112, I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56 which becomes available between the filing date of the prior application and the national or PCT International filing date of this application.

U.S. Parent Application or PCT Parent Number	Parent Filing Date (MM/DD/YYYY)	Parent Patent Number (if applicable)				
<input type="checkbox"/> Additional U.S. or PCT International application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto. As a named Inventor, I hereby appoint the following registered practitioner(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith: <input type="checkbox"/> Customer Number <input type="text"/> → <input type="checkbox"/> Place Customer Number Bar Code Label here <input checked="" type="checkbox"/> Registered practitioner(s) name/registration number listed below						
Name	Registration Number	Name	Registration Number			
Robert P. Raymond	25,089	Susan K. Pocchiari	45,016			
Alan R. Stempel	28,991	Philip I. Datlow	41,482			
Mary-Ellen M. Devlin	27,928	Timothy X. Witkowski	40,232			
Anthony P. Bottino	41,629	David A. Dow	46,124			
<input type="checkbox"/> Additional registered practitioner(s) named on supplemental Registered Practitioner Information sheet PTO/SB/02C attached hereto.						
Direct all correspondence to: <input checked="" type="checkbox"/> Customer Number or Bar Code Label <input type="text"/> 28501		OR <input type="checkbox"/> Correspondence address below				
Name						
Address						
Address						
City	State	ZIP				
Country	Telephone	Fax				
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.						
Name of Sole or First Inventor:		<input type="checkbox"/> A petition has been filed for this unsigned inventor				
Given Name (first and middle if any)		Family Name or Surname				
Gerald J.		ROTH				
Inventor's Signature			Date <u>10/16/04</u>			
Residence: City	Biberach	State	Country	Germany	Citizenship	DE
Post Office Address	Akazienweg 47					
Post Office Address						
City	Biberach	State	ZIP	88400	Country	Germany
<input checked="" type="checkbox"/> Additional inventors are being named on the <u>2</u> supplemental Additional Inventor(s) sheet(s) PTO/SB/02A attached hereto						

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PTO/SB/02A (11-00)

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DECLARATION
ADDITIONAL INVENTOR(S)
Supplemental Sheet
 Page 1 of 2

Name of Additional Joint Inventor, if any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle [if any]) Guenther		Family Name or Surname LINZ	
Inventor's Signature <i>Guenther Linz</i>		Date <u>10/07/03</u>	
Residence: City Mittelbiberach	State	Country Germany	Citizenship DE
Mailing Address Eschenweg 6			
Mailing Address City Mittelbiberach State ZIP 88441 Country Germany			
Name of Additional Joint Inventor, if any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle [if any]) Peter		Family Name or Surname SIEGER	
Inventor's Signature <i>Peter Sieger</i>		Date <u>10/07/03</u>	
Residence: City Mittelbiberach	State	Country Germany	Citizenship DE
Mailing Address Wielandstrasse 27			
Mailing Address City Mittelbiberach State ZIP 88441 Country Germany			
Name of Additional Joint Inventor, If any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle [if any]) Werner		Family Name or Surname RALL	
Inventor's Signature <i>Werner Rall</i>		Date <u>10/08/03</u>	
Residence: City Mittelbiberach	State	Country Germany	Citizenship DE
Mailing Address Beethovenstrasse 33			
Mailing Address City Mittelbiberach State ZIP 88441 Country Germany			

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Case No. 1/1374



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DECLARATION

ADDITIONAL INVENTOR(S) Supplemental Sheet Page 2 of 2

Name of Additional Joint Inventor, if any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle [if any])		Family Name or Surname	
Frank		HILBERG	
Inventor's Signature	<i>Frank Hilberg</i>		
Date	25.08.2003		
Residence: City	Wien	State	Country Austria
Mailing Address	Pilgramgasse 18/22		
Mailing Address			
City	Wien	State	ZIP A-1050 Country Austria
Name of Additional Joint Inventor, if any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle [if any])		Family Name or Surname	
Thomas		BOCK	
Inventor's Signature	<i>Hermann Bock</i>		
Date	20.Oct-2003		
Residence: City	Biberach	State	Country Germany
Mailing Address	Hermann-Volz-Strasse 67		
Mailing Address			
City	Biberach	State	ZIP 88400 Country Germany
Name of Additional Joint Inventor, if any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle [if any])		Family Name or Surname	
Inventor's Signature			
Date			
Residence: City		State	Country
Citizenship			
Mailing Address			
Mailing Address			
City		State	ZIP
			Country

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